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Patent
Attorney's Docket No. 027540-688

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of)
)
U.S. Patent No. 5,377,183 to) Group Art Unit: Unassigned
)
Paul W. DENT) Examiner: Unassigned
)
Serial No. Unassigned)
)
Filed: December 26, 1996)
)
For: CALLING CHANNEL IN)
CDMA COMMUNICATIONS)
SYSTEM)

DECLARATION IN SUPPORT OF REISSUE APPLICATION

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Paul W. Dent, hereby declare as follows:

(1) I am a citizen of the United Kingdom and reside at 637 Eagle Point Road,
Pittsboro, North Carolina 27312.

(2) I believe that I am the original, first inventor of the invention described and
claimed in the United States Patent No. 5,377,183 and in the specification and the claims
of the Reissue Application filed December 26, 1996.

(3) I have reviewed and understand the contents of the specification and the
claims of the Reissue Application.

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(4) I acknowledge the duty to disclose information that I am aware of which is material to the examination of this Reissue Application in accordance with 37 C.F.R. § 1.56(a).

(5) I verily believe U.S. Patent No. 5,377,183 (hereinafter the '183 patent) to be partially inoperative by reason of having claimed less than I had the right to claim in said Letters Patent and, more particularly, by having omitted claims of the scope of new claims 29-36.

(6) New claim 29 is similar to claim 1 except for the addition of the phrase "wherein said control information carries information for a specified group of mobile stations only at predetermined times" at lines 6 and 7 (line numbers used herein refer to those used in the reissue application rather than the '183 patent), deletion of the phrase "using predetermined weighting factors" from line 10, changing the misspelled "carder" to "carrier" at line 12, deletion of "wherein said control information is used by said mobile station to determine if said mobile station is being called and to determine if said mobile is being called and to determine a phase of the calling channel signals" from lines 16-17, and deletion of the phrase "using said phase of the calling channel signal" from line 18. This new claim is provided to correct the error that a claim of this scope was not presented in the original application and, thus, the assignee and inventor claimed less than they had the right to claim.

(7) This error was recognized during a review of the '183 patent's claim coverage on or about September 1995.

(8) Specifically, it was noted during this review that originally filed claim 12 had not been rejected over any alleged prior art, but that an independent claim of the same or similar scope was not pursued.

(9) New claim 30 is not analogous to any of the patented claims, but instead seeks broader claim coverage for the invention claimed in, for example, claim 12 of the '183 patent. This invention relates to the power saving mode described, for example, at column 6, lines 19 *et. seq.*

(10) Claim 30 has been presented to correct the error that a claim of this scope was not presented in the original application and, thus, the assignee and the inventor claimed less than they had a right to claim.

(11) This error was also identified as set forth in paragraphs (7) and (8).

(12) New claims 31 and 32 depend from claim 30 and are also not analogous to any of the claims of the '183 patent.

(13) These claims relate to additional features of the power saving mode which were identified as a result of a review of the '183 patent's specification in conjunction with the claim scope review noted in paragraph (7).

(14) New claim 33 corresponds to claim 24 of the '183 patent, but differs in substantially the same ways that new claim 29 differs from claim 1 of the '183 patent as described in paragraph (6).

(15) This new claim is also provided to correct the error that a claim of this scope was not presented in the original application and, thus, the assignee and inventor claimed less than they had the right to claim.

(16) This error was also identified as described in paragraphs (7) and (8).


(17) New claims 34-36 correspond to new claims 30-32, respectively, in the sense that the identification of errors and how those errors were identified set forth in paragraphs (10)-(13) apply equally to these claims.

(18) Each of the foregoing errors arose without any deceptive intention on the part of the undersigned.

(19) Each of the foregoing errors is attributable to a failure on the part of the individuals who drafted and prosecuted the original application to appreciate the full scope of the invention.

(20) The undersigned declare further that all statements made herein are of our own knowledge and are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: 10 FEB '97



Paul W. Dent

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